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AMENDMENT UNDER 37 C.F.R. § 1.116

Examining Group 1642

Patent Application

Docket No. USF-T136

Serial No. 09/444,711

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Examiner : Alana M. Harris  
Art Unit : 1642  
Applicants : Timothy J. Yeatman, Rosalyn B. Irby  
Serial No. : 09/444,711  
Filed : November 24, 1999  
Confirm. No. : 9003  
For : Mutated SRC Oncogene Composition and Methods

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Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. §1.116**

In response to the Office Action dated September 24, 2003, please amend the above-  
identified application as follows:

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In the Claims

Claims 1-112 (Cancelled)

<sup>1</sup>  
Claim ~~113~~ (Previously added): An isolated polynucleotide encoding a <sup>truncated</sup> mutant c-Src polypeptide, wherein said <sup>truncated</sup> mutant c-Src polypeptide <sup>consists of</sup> comprises SEQ ID NO:4.

<sup>2</sup>  
Claim ~~114~~ (Previously added): The isolated polynucleotide of claim ~~113~~, wherein said polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3.

~~Claim 115 (Previously added): The isolated polynucleotide of claim 113, wherein said mutant c-Src polypeptide consists of SEQ ID NO:4.~~

<sup>3</sup>  
Claim ~~116~~ (Previously added): An isolated polynucleotide encoding a <sup>truncated</sup> mutant c-Src polypeptide, wherein said polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3, or a full-length complement thereof.

<sup>4</sup>  
Claim ~~117~~ (Previously added): An isolated transgenic cell having incorporated therein a recombinant construct, wherein said recombinant construct comprises:

(a) a polynucleotide encoding a <sup>truncated</sup> mutant c-Src polypeptide, wherein said <sup>truncated</sup> mutant c-Src polypeptide <sup>consists of</sup> comprises SEQ ID NO:4; and

(b) at least one regulatory element operably linked to said polynucleotide.

<sup>5</sup>  
Claim ~~118~~ (Previously added): The isolated transgenic cell of claim ~~117~~, wherein said polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3.

~~Claim 119 (Previously added): The isolated transgenic cell of claim 117, wherein said mutant c-Src polypeptide consists of SEQ ID NO:4.~~

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Claim <sup>6</sup>120 (Previously added): The isolated transgenic cell of claim <sup>4</sup>117, wherein said recombinant construct is an expression vector.

Claim <sup>7</sup>121 (Previously added): An isolated transgenic cell having incorporated therein a recombinant construct, wherein said recombinant construct comprises:

- (a) a polynucleotide encoding a <sup>truncated</sup>mutant c-Src polypeptide, wherein said polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3, or a full-length complement thereof; and
- (b) at least one regulatory element operably linked to said polynucleotide.

Claim <sup>8</sup>122 (Previously added): The transgenic cell of claim <sup>6</sup>121, wherein said recombinant construct is an expression vector.

Claim <sup>9</sup>123 (Previously added): An isolated host cell transfected with a polynucleotide comprising a nucleotide sequence encoding a <sup>truncated</sup>mutant c-Src polypeptide, wherein said <sup>truncated</sup>mutant c-Src polypeptide <sup>consists of</sup>comprises SEQ ID NO:4.

Claim <sup>10</sup>124 (Previously added): The isolated host cell of claim <sup>10</sup>123, wherein said nucleotide sequence comprises nucleotides 1 to 1593 of SEQ ID NO:3.

~~Claim 125 (Previously added): The isolated host cell of claim 123, wherein said mutant c-Src polypeptide consists of SEQ ID NO:4.~~

Claim <sup>11</sup>126 (Previously added): The isolated host cell of claim <sup>10</sup>123, wherein said polynucleotide further comprises a promoter operably linked to said nucleotide sequence encoding said <sup>truncated</sup>mutant c-Src polypeptide.

Claim <sup>12</sup>127 (Previously added): An isolated host cell transfected with a polynucleotide comprising a nucleotide sequence encoding a <sup>truncated</sup>mutant c-Src polypeptide, wherein said nucleotide sequence comprises nucleotides 1 to 1593 of SEQ ID NO:3, or a full-length complement thereof.

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<sup>13</sup>  
Claim <sup>12</sup>128 (Previously added): The isolated host cell of claim 127, wherein said polynucleotide further comprises a promoter operably linked to said nucleotide sequence encoding said <sup>truncated</sup> mutant c-Src polypeptide.

Claims 129-130 (Cancelled)

<sup>14</sup>  
Claim 131 (Currently amended): ~~The oligonucleotide of claim 129, wherein said mutant c-Src polypeptide consists of SEQ ID NO:4~~ An oligonucleotide capable of recognizing and distinguishing a mutant c-Src gene from a wild-type c-Src gene, wherein said mutant c-Src gene comprises a polynucleotide encoding a <sup>truncated</sup> mutant c-Src polypeptide, and wherein said <sup>truncated</sup> mutant c-Src polypeptide consists of SEQ ID NO:4.

Claims 132-138 (Cancelled)

<sup>15</sup>  
Claim <sup>13</sup>139 (Currently amended): ~~The diagnostic kit of claim 137, wherein said mutant c-Src polypeptide consists of SEQ ID NO:4~~ A diagnostic kit comprising an oligonucleotide capable of recognizing and distinguishing a mutant c-Src gene from a wild-type c-Src gene, wherein said mutant c-Src gene comprises a polynucleotide encoding a <sup>truncated</sup> mutant c-Src polypeptide, and wherein said <sup>truncated</sup> mutant c-Src polypeptide consists of SEQ ID NO:4.

Claims 140-146 (Cancelled)

<sup>16</sup>  
Claim <sup>truncated</sup>147 (Previously added): A method for producing a <sup>truncated</sup> mutant c-Src protein, said method comprising:  
(a) culturing an isolated transgenic cell under conditions suitable for expression of the <sup>truncated</sup> mutant c-Src protein, wherein the isolated transgenic cell has incorporated therein an expression vector comprising a polynucleotide encoding the <sup>truncated</sup> mutant c-Src protein and at least one regulatory element

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operably linked to said polynucleotide, wherein the <sup>truncated</sup> mutant c-Src protein <sup>consists of</sup> comprises SEQ ID NO:4;  
and

(b) recovering the <sup>truncated</sup> mutant c-Src protein from the isolated transgenic cell or cell culture.

<sup>17</sup> Claim ~~148~~ (Previously added): The method of claim <sup>116</sup> ~~147~~, wherein the polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3.

~~Claim 149 (Previously added): The method of claim 147, wherein the mutant c-Src protein consists of SEQ ID NO:4.~~

<sup>18</sup> Claim ~~150~~ (Previously added): A method for producing a <sup>truncated</sup> mutant c-Src protein, said method comprising:

(a) culturing an isolated host cell under conditions suitable for expression of the <sup>truncated</sup> mutant c-Src protein, wherein the isolated host cell has been transfected with a polynucleotide comprising a nucleotide sequence encoding the <sup>truncated</sup> mutant c-Src protein, wherein the <sup>truncated</sup> mutant c-Src protein <sup>consists of</sup> comprises SEQ ID NO:4; and

(b) recovering the <sup>truncated</sup> mutant c-Src protein from the isolated transgenic cell or cell culture.

<sup>19</sup> Claim ~~151~~ (Previously added): The method of claim <sup>118</sup> ~~150~~, wherein the polynucleotide further comprises a promoter operably linked with the nucleotide sequence encoding the <sup>truncated</sup> mutant c-Src protein.

<sup>20</sup> Claim ~~152~~ (Previously added): The method of claim <sup>118</sup> ~~150~~, wherein the polynucleotide comprises nucleotides 1 to 1593 of SEQ ID NO:3.

~~Claim 153 (Previously added): The method of claim 150, wherein the mutant c-Src protein consists of SEQ ID NO:4.~~